



DEPARTMENT OF THE NAVY
SPACE AND NAVAL WARFARE SYSTEMS COMMAND
WASHINGTON, D.C. 20363-5100

SPAWARINST 5354.1A
SPAWAR 08-2
12 June 1992

SPAWAR INSTRUCTION 5354.1A

From: Commander, Space and Naval Warfare Systems Command

Subj: SPACE AND NAVAL WARFARE SYSTEMS COMMAND EQUAL
OPPORTUNITY (EO) PROGRAM

Ref: (a) OPNAVINST 5354.1C

Encl: (1) Command Managed Equal Opportunity (CMEO) Program
(2) Prevention of Sexual Harassment
(3) Discrimination Complaints/Grievance
(4) Equal Opportunity Data Reporting Format
(5) Command Managed Equal Opportunity Program Assessment
Format

1. Purpose. To implement revised guidelines of the SPAWAR Equal Opportunity Program. Due to the number of revisions in this instruction, it should be read in its entirety.

2. Cancellation. SPAWARINST 5354.1.

3. Background. Reference (a) and enclosures (1), (2) and (3) provide guidelines delineating the responsibilities for the implementation of the Navy-wide Command Managed Equal Opportunity (CMEO) Program. Achieving an environment of equal opportunity can only occur as a result of Command policies and procedures which eliminate the institutional impediments barring upward and lateral mobility of all personnel. Enclosures (4) and (5) provide the format for submitting demographic data collected in assessing the command.

4. Policy. The Commander, Space and Naval Warfare Systems Command is committed to the principles and fully supports the policies established by the Secretary of the Navy and the Chief of Naval Operations in achieving an environment of equality for all personnel at every level of the chain of command. It is essential that all actions reflect professionalism, sound judgement, and leadership in the elimination of all forms of discrimination.

5. Responsibilities

a. Commander, Space and Naval Warfare Systems Command

(1) Provide overall direction, guidance and leadership for the Command's EO program.

- (2) Develop programs to support Navy EO objectives.
- (3) Monitor EO status within subordinate commands.

b. SPAWAR Activities Commanders

- (1) Ensure local directives are developed and implemented as required.
- (2) Provide information as directed by this instruction.
- (3) Review and assess the Command's EO climate as required by enclosures (4) and (5).

c. Officers in Charge, and Supervisors. Officers in charge and supervisors are responsible for ensuring equal opportunity for all personnel assigned under their supervision. It is mandatory that managers and supervisors ensure that SPAWAR's EO policy becomes an integral part of day-to-day personnel management.

d. The Equal Opportunity Program Specialist. Provide assistance to commands in training, assessment, and investigating. General tasks include, but are not limited to the following:

- (1) Brief the Commander on DOD and Navy Equal Opportunity policy and procedures.
- (2) Conduct assist visits and inspections of subordinate commands in conjunction with ISIC inspections.
- (3) Conduct initial interview and screen personnel for equal opportunity program training.
- (4) Investigate, or aid in the investigation of, and monitor all alleged discrimination complaints.
- (5) Conduct informal individual and group EO assessment interviews.
- (6) Co-facilitate Command Training Team (CTT) and Command Assessment Training (CAT) indoctrination.
- (7) Recommend updates to EO policy and procedures.
- (8) Assist subordinate units in planning/scheduling and preparation of EO training.

(9) Advise commanders/commanding officers and special observances committees on celebrations/events/displays.

6. Exceptions and Waivers. SPAWAR activities and detachments will comply with guidance in reference (a) except as noted:

a. Activities and detachments with fewer than 50 military billets are exempted from designation and training of command Training Teams. Arrangements should be made with a host Command or Local Area Coordinator to accomplish required training and proper service record entries.

b. Command assessment is the responsibility of the commanding officer. Establishment of a Command Assessment Team for activities with fewer than 50 military billets is optional for these units.

c. The military CMEQ program and civilian Equal Employment Opportunity (EEO) program, while governed by different directives and reporting/management requirements, advance the same goals. Commands are encouraged to coordinate the CMEQ/EEO programs.

7. Action. Addressees shall:

a. Provide yearly data as required by enclosures (4) and (5).

b. Carry out the policy of reference (a) of this instruction in ensuring equal opportunity for all personnel assigned to this command.



R. H. AILES
Rear Admiral, U.S. Navy

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COMMAND MANAGED EQUAL OPPORTUNITY (CMEO) PROGRAM

1. Introduction and Overview

a. Purpose of Command Managed Equal Opportunity (CMEO). CMEO establishes the EO program for each command. CMEO directs the chain of command to employ resources to:

(1) Create and maintain a positive EO climate within the command.

(2) Identify and resolve EO/sexual harassment problems and concerns.

(3) Provide the mechanism for monitoring the command's EO climate.

(4) Ensure that merit, ability, performance, and potential are the factors which affect individual promotion, training, duty assignments and any other action.

b. CMEO as an EO Management System. CMEO is a management system which has the flexibility to respond to command specific needs and draws resources from outside the command as necessary.

2. Command Requirements. CMEO consists of the following minimum elements:

- Command Training
- Command Assessment
- Action Planning
- Inspections

3. Command Training. The Navy has developed a training package to support mission accomplishments by providing all personnel a clear understanding of their military rights and responsibilities. It is called the Navy Rights and Responsibilities (NR&R) workshop. THE NR&R workshop provides training on basic Navy EO principles, policies and procedures that must be understood by all hands.

a. Command Training Team. The CTT is a group of individuals from the command trained to present the NR&R workshops. Prospective CTT members will be formally trained from a CNET activity, Mobile Training Team (MTT) or by Equal Opportunity Program Specialist (EOPS) assigned to a major command or staff.

Enclosure (1)

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(2) Annual All-Hands NR&R Workshop. Commands will hold an annual all-hands NR&R workshop which shall include sexual harassment prevention training; review of updated Navy EO policies and the Navy EO climate; and a forum for discussing CNO and command-specific issues. This workshop should be conducted in conjunction with the annual command assessment and use the training guide provided by CNET.

4. Command Assessment. A critical element to the ultimate effectiveness and success of a command's EO program is the ability of the command to accurately assess current EO status. The assessment focuses on the treatment and achievements of individuals, overall effectiveness of the command EO programs, and the follow-up actions on previously identified EO issues. The assessment uses command demographic information which includes objective data sources (statistics pulled from command records) which identify perceptions and behaviors not evident in the records maintained by command.

a. The Command Assessment Team (CAT). The CAT is a group of individuals from the command trained to plan and conduct a command assessment as well as analyze the data collected. Each command shall appoint a CAT formally trained to conduct the command assessment. They can receive this training from a CNET activity, mobile training team (MTT) or by an Equal Opportunity Program Specialist (EOPS) assigned to a major command or staff. Documentation of this training shall be recorded in the member's service record.

(1) Mandatory membership will include the Executive Officer, at least one department head and the Command Master Chief (or equivalent). The command career counselor, personnel officer and/or legal officer should be members of the CAT where assigned. Remaining CAT members should be composed of a cross-section of command personnel in terms of paygrade, gender, race, and department. All CAT members, including the mandatory memberships, are required to receive formal training. This is not meant or intended to restrict the commander's prerogative of increasing the size or scope of the CAT. Regardless of team composition, the ultimate responsibility for CAT effectiveness remains with the commander.

(2) CAT members who have not performed in that capacity in over 24 months are required to repeat the formal training.

(3) CAT members should complete the Navy Equal Opportunity correspondence course (NAVEDTRA 13099-D) within three months of assignment to the assessment team.

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(4) Prospective CAT members will have a minimum of 18 months remaining before their PRD from the date they are assigned (does not apply to mandatory membership).

b. Data Sources. The CAT is specifically trained in using the following resources to conduct command assessments:

(1) Command Records. These include command training records, records on the Sailor of the Month/Quarter/Year award file, meritorious mast records, records on discrimination and sexual harassment complaints, and retention files.

(2) Interviews. Interviews should be conducted to gain valuable information which can reveal not only what is actually happening in a command, but also what people perceive is happening and how they feel.

(3) Observations. Conduct observations as a means of determining what people actually do or how they behave and interact without inadvertently disturbing the environment or injecting a bias.

(4) Surveys. Surveys should be taken to get an indication of the command climate. Surveys can be designed to tap information about a variety of topics, but they are not as sensitive as interviews in uncovering real issues and problems. They must be used in conjunction with other data gathering sources to get a valid, reliable data base to support a valid assessment. Commanders should use the questions listed in the Equal Opportunity Question Bank contained in the CAT indoctrination course guide provided by CNET as a guide for their surveys. Commanders may tailor their survey to include command-specific questions.

c. Collection and Maintenance of Demographic Data. One of the primary functions required as part of the annual command assessment is the collection of demographic data. Commands should determine the most effective methods of data collection to accommodate their organization. Demographic data will be collected on retention, advancement, and discipline.

(1) Demographics. All demographic data collection and analysis will be categorized by race/ethnic group, gender, paygrade, rating, division, and department.

(2) Retention Data. Reenlistment and separation data (raw numbers and percentages) will be collected and analyzed. Retention data will be compiled to provide information on those

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(2) Make all hands aware of the avenues for seeking redress and actions that will be taken against personnel violating sexual harassment policies.

(3) Provide all hands training to ensure that personnel know what sexual harassment is, that it is harmful to all involved, and that it will not be tolerated. This training is an integral part of the Navy Rights and Responsibilities (NR&R) workshop.

(4) Call to the attention of their personnel the SECNAV or OPNAV policies on sexual harassment and issue their own policy to clearly define such misconduct and firmly stating that it will not be tolerated.

(5) Take prompt and decisive disciplinary action when sexual harassment occurs.

e. Responsibilities. All SPAWAR Activities are expected to support this policy. This not only includes refraining from practicing prohibitive behavior but actively countering and reporting such actions promptly.

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DISCRIMINATION COMPLAINTS/GRIEVANCE

1. Discrimination Complaints/Grievance. One of the most important aspects of the equal opportunity program and one which requires constant attention on the part of the commander is the process whereby complaints of discrimination are considered and acted upon by the chain of command. Apart from their individual merits, legitimate complaints can provide valuable information about existing patterns of discrimination within a command. Talking firm, positive action in cases of valid complaints lends creditability to a commander's stated commitment to justice and equality of treatment for all personnel. The chain of command must be responsive to individuals who exercise their right to report a perceived discrimination.

2. Servicemember's Rights and Responsibilities. Individuals who perceive that they have been discriminated against and/or harassed shall attempt to resolve the complaint at the lowest level possible and fully use the chain of command.

a. Servicemembers have the right to present any legitimate grievance to the command without fear of intimidation, reprisal, or harassment.

b. Servicemembers have the right to be educated on the Navy's Grievance Procedure and on procedures for appealing decisions.

c. Servicemembers have the responsibility to advise the command of the specifics of discrimination complaints and to provide the command an opportunity to rectify, remedy or take appropriate action before the complaint/grievance becomes a formal one which is then brought to the attention of higher authorities.

d. Servicemembers have the right to communicate with the Commanding Officer concerning their complaint/grievance.

e. Servicemembers have the responsibility to submit only legitimate complaints and to exercise caution against immature, or reckless charges.

3. Complaints/Grievance Procedures. The procedures an individual must follow to present a complaint/grievance are divided into two categories, informal and formal.

a. Informal Grievance Procedures. This is the first step in resolving a complaint/grievance and should be started at the lowest level possible.

Enclosure (3)

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(1) A complainant should first attempt to resolve the complaint/grievance with the person or persons involved. Assistance of the immediate supervisor in resolving the complaint may be requested as the circumstances require. Requests are normally done orally but may be requested in writing. If the object is the complainant's immediate supervisor, present the complaint to the next senior in the chain of command.

(2) If the complaint cannot be resolved between complainant and the persons involved or with the help of immediate supervisors, then submit a request either in writing or orally in a timely manner for a commanding officer request mast. Article 1151 of U.S. Navy Regulations, states the right to present a legitimate complaint to the commanding officer at a proper time and place; this includes discrimination or sexual harassment complaints.

(3) If the resolution of the informal complaint is considered unjust, use the formal procedures for redress (relief). In all cases, it is the responsibility of the commander to inform the complainant of his/her right to submit a formal complaint and the method for making the submission.

(4) Shore commanders are required to assign a person to assist in resolving sexual harassment and EO complaints. This individual is available for assistance in determining the need for a grievance, the proper method of submission and should be consulted prior to submitting a formal complaint.

b. Formal Grievance Procedures

(1) If the grievance is against a superior in the same command, other than the commanding officer, submit a formal complaint, NAVREGS ART 1150, against that superior to the commanding officer. If complainant considers the commanding officer's resolution unjust, submit an UCMJ ART 138, "Complaint of Wrong," against the commanding officer. Procedures are contained in chapter III, Manual of the Judge Advocate General (JAGMAN). Individuals should be advised of their entitlement to military legal counsel for assistance in submitting this complaint.

(2) If the grievance/discrimination complaint is against a superior in another chain of command, submit the complaint to the commanding officer. The commanding officer will forward the complaint to the superior of the individual against whom the complaint is brought via his/her chain of command to the officer exercising general court-martial justification over the

2. SECOND TERM

	NATIVE AMERICAN (MALE/FEM)	ASIAN PACIFIC ISLANDER (MALE/FEM)	BLACK (MALE/FEM)	HISPANIC (MALE/FEM)	WHITE (MALE/FEM)	OTHER/ UNKNOWN (MALE/FEM)
ELIGIBLE	/	/	/	/	/	/
INELIGIBLE	/	/	/	/	/	/
REENLISTED	/	/	/	/	/	/

3. CAREER

	NATIVE AMERICAN (MALE/FEM)	ASIAN PACIFIC ISLANDER (MALE/FEM)	BLACK (MALE/FEM)	HISPANIC (MALE/FEM)	WHITE (MALE/FEM)	OTHER/ UNKNOWN (MALE/FEM)
ELIGIBLE	/	/	/	/	/	/
INELIGIBLE	/	/	/	/	/	/
REENLISTED	/	/	/	/	/	/

PART III ADVANCEMENT DEMOGRAPHICS

1. E-2 TO E-3

	NATIVE AMERICAN (MALE/FEM)	ASIAN PACIFIC ISLANDER (MALE/FEM)	BLACK (MALE/FEM)	HISPANIC (MALE/FEM)	WHITE (MALE/FEM)	OTHER/ UNKNOWN (MALE/FEM)
ELIGIBLE	/	/	/	/	/	/
INELIGIBLE	/	/	/	/	/	/
REENLISTED	/	/	/	/	/	/

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2. E-3 TO E-4

	NATIVE AMERICAN (MALE/FEM)	ASIAN PACIFIC ISLANDER (MALE/FEM)	BLACK (MALE/FEM)	HISPANIC (MALE/FEM)	WHITE (MALE/FEM)	OTHER/ UNKNOWN (MALE/FEM)
ELIGIBLE	/	/	/	/	/	/
INELIGIBLE	/	/	/	/	/	/
REENLISTED	/	/	/	/	/	/

3. E-4 TO E-5

	NATIVE AMERICAN (MALE/FEM)	ASIAN PACIFIC ISLANDER (MALE/FEM)	BLACK (MALE/FEM)	HISPANIC (MALE/FEM)	WHITE (MALE/FEM)	OTHER/ UNKNOWN (MALE/FEM)
ELIGIBLE	/	/	/	/	/	/
INELIGIBLE	/	/	/	/	/	/
REENLISTED	/	/	/	/	/	/

4. E-5 TO E-6

	NATIVE AMERICAN (MALE/FEM)	ASIAN PACIFIC ISLANDER (MALE/FEM)	BLACK (MALE/FEM)	HISPANIC (MALE/FEM)	WHITE (MALE/FEM)	OTHER/ UNKNOWN (MALE/FEM)
ELIGIBLE	/	/	/	/	/	/
INELIGIBLE	/	/	/	/	/	/
REENLISTED	/	/	/	/	/	/

5. E-6 TO E-7

	NATIVE AMERICAN (MALE/FEM)	ASIAN PACIFIC ISLANDER (MALE/FEM)	BLACK (MALE/FEM)	HISPANIC (MALE/FEM)	WHITE (MALE/FEM)	OTHER/ UNKNOWN (MALE/FEM)
ELIGIBLE	/	/	/	/	/	/
QUALIFIED	/	/	/	/	/	/
TOOK EXAM	/	/	/	/	/	/
BOARD ELIG	/	/	/	/	/	/
SELECTED	/	/	/	/	/	/

6. E-7 TO E-8

	NATIVE AMERICAN (MALE/FEM)	ASIAN PACIFIC ISLANDER (MALE/FEM)	BLACK (MALE/FEM)	HISPANIC (MALE/FEM)	WHITE (MALE/FEM)	OTHER/ UNKNOWN (MALE/FEM)
ELIGIBLE	/	/	/	/	/	/
QUALIFIED	/	/	/	/	/	/
BOARD ELIG	/	/	/	/	/	/
SELECTED	/	/	/	/	/	/

7. E-8 TO E-9

	NATIVE AMERICAN (MALE/FEM)	ASIAN PACIFIC ISLANDER (MALE/FEM)	BLACK (MALE/FEM)	HISPANIC (MALE/FEM)	WHITE (MALE/FEM)	OTHER/ UNKNOWN (MALE/FEM)
ELIGIBLE	/	/	/	/	/	/
QUALIFIED	/	/	/	/	/	/
BOARD ELIG	/	/	/	/	/	/
SELECTED	/	/	/	/	/	/

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PART IV DISCIPLINE/DISCHARGES DEMOGRAPHICS

	NATIVE AMERICAN (MALE/FEM)	ASIAN PACIFIC ISLANDER (MALE/FEM)	BLACK (MALE/FEM)	HISPANIC (MALE/FEM)	WHITE (MALE/FEM)	OTHER/ UNKNOWN (MALE/FEM)
NBR PLACED ON REPORT	/	/	/	/	/	/
NBR REPEAT OFFENDERS	/	/	/	/	/	/
NBR DISMISSED PRIOR TO MAST	/	/	/	/	/	/
NBR RECEIVING PUNISHMENT	/	/	/	/	/	/
NBR REFERRED TO COURT-MARTIAL	/	/	/	/	/	/
NBR HONORABLE DISCHARGES	/	/	/	/	/	/
NBR GENERAL DISCHARGES	/	/	/	/	/	/
NBR OTH DISCHARGES	/	/	/	/	/	/
NBR BAD CONDUCT DISCHARGES	/	/	/	/	/	/
NBR DISHONORABLE DISCHARGES	/	/	/	/	/	/

PART V COMPLAINTS

1. SEXUAL HARASSMENT

	NATIVE AMERICAN (MALE/FEM)	ASIAN PACIFIC ISLANDER (MALE/FEM)	BLACK (MALE/FEM)	HISPANIC (MALE/FEM)	WHITE (MALE/FEM)	OTHER/ UNKNOWN (MALE/FEM)
NBR FORMAL COMPLAINTS	/	/	/	/	/	/
NBR COMPLAINTS SUBSTANTIATED	/	/	/	/	/	/
NBR RESOLVED	/	/	/	/	/	/
NBR AWAITING ACTION(S)	/	/	/	/	/	/

2. DISCRIMINATION (BASED ON RACE OR ETHNICITY)

	NATIVE AMERICAN (MALE/FEM)	ASIAN PACIFIC ISLANDER (MALE/FEM)	BLACK (MALE/FEM)	HISPANIC (MALE/FEM)	WHITE (MALE/FEM)	OTHER/ UNKNOWN (MALE/FEM)
NBR FORMAL COMPLAINTS	/	/	/	/	/	/
NBR COMPLAINTS SUBSTANTIATED	/	/	/	/	/	/
NBR RESOLVED	/	/	/	/	/	/
NBR AWAITING ACTION(S)	/	/	/	/	/	/

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3. DISCRIMINATION (BASED ON GENDER)

	NATIVE AMERICAN (MALE/FEM)	ASIAN PACIFIC ISLANDER (MALE/FEM)	BLACK (MALE/FEM)	HISPANIC (MALE/FEM)	WHITE (MALE/FEM)	OTHER/ UNKNOWN (MALE/FEM)
NBR FORMAL COMPLAINTS	/	/	/	/	/	/
NBR COMPLAINTS SUBSTANTIATED	/	/	/	/	/	/
NBR RESOLVED	/	/	/	/	/	/
NBR AWAITING ACTION(S)	/	/	/	/	/	/

PART VI AWARDS

	NATIVE AMERICAN (MALE/FEM)	ASIAN PACIFIC ISLANDER (MALE/FEM)	BLACK (MALE/FEM)	HISPANIC (MALE/FEM)	WHITE (MALE/FEM)	OTHER/ UNKNOWN (MALE/FEM)
COMMAND INITIATED AWARDS	/	/	/	/	/	/
OFFICER	/	/	/	/	/	/
ENLISTED	/	/	/	/	/	/
SAILOR OF THE YEAR	/	/	/	/	/	/

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	NATIVE AMERICAN (MALE/FEM)	ASIAN PACIFIC ISLANDER (MALE/FEM)	BLACK (MALE/FEM)	HISPANIC (MALE/FEM)	WHITE (MALE/FEM)	OTHER/ UNKNOWN (MALE/FEM)
SAILOR OF THE QUARTER	/	/	/	/	/	/
SAILOR OF THE MONTH	/	/	/	/	/	/
LETTER OF COMMENDATION	/	/	/	/	/	/
LETTER OF APPRECIATION	/	/	/	/	/	/

PART VII COMMENTS/RECOMMENDATIONS:

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COMMAND MANAGED EQUAL OPPORTUNITY
PROGRAM ASSESSMENT

COMMAND: _____
UIC: _____

ENLISTED POPULATION: E-1 thru E-5 _____ / _____
MALE FEMALE
E-6 thru E-9 _____ / _____
MALE FEMALE

OFFICER POPULATION: _____ / _____
MALE FEMALE

COMMAND (CMEO) PROGRAM MANAGER/COORDINATOR:

RANK/RATE/NAME/PHONE NUMBER

COMMAND TRAINING TEAM MEMBERS:

RANK/RATE	NAME
_____	_____
_____	_____
_____	_____
_____	_____

COMMAND ASSESSMENT TEAM MEMBERS:

RANK/RATE	NAME
_____	_____
_____	_____
_____	_____
_____	_____

1. INDICATE COMMAND MANAGED EQUAL OPPORTUNITY (CMEO) TRAINING HELD IN THE COMMAND THIS YEAR. (IF TRAINING WAS CONDUCTED BY ANOTHER OR FOR ANOTHER COMMAND, INDICATE CIRCUMSTANCES IN PARAGRAPH 4.)

a. NAVY RIGHTS AND RESPONSIBILITIES WORKSHOP:

YES/NO DATE(S) CONDUCTED: _____

NUMBER OF PERSONNEL ATTENDING TRAINING:

OFFICERS _____ ENLISTED _____

Enclosure (5)

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b. PETTY OFFICER INDOCTRINATION TRAINING:

YES/NO DATE(S) CONDUCTED: _____

c. SEXUAL HARASSMENT WORKSHOP:

YES/NO DATE(S) CONDUCTED: _____

2. TOTAL (NUMBER AND TYPE) OF WORKSHOPS CONDUCTED BY COMMAND TRAINING TEAM (CTT):

3. HAS THE COMMAND BEEN SUCCESSFUL IN RECEIVING PROGRAM ASSISTANCE FROM AREA FLEET TRAINING CENTER OR EQUAL OPPORTUNITY PROGRAM SPECIALISTS? IF SO, WHEN/WHY NOT?

SERVICES REQUIRED/SERVICES RENDERED.

4. COMMENT:

